

IN THE CLAIMS

Please cancel Claims 8 and 9 without prejudice or disclaimer.

REMARKS

Claims 8 and 9 are hereby canceled without prejudice or disclaimer. Claims 1-3, 5-7, and 10-11 are pending. Claims 1, 10 and 11 are independent. In the non-final Office Action mailed November 25, 2002, Claims 6,7,8 and 9 were rejected under 35 U.S.C. § 112 second paragraph as allegedly indefinite, since Claim 6 was identical to Claim 8 and Claim 7 was identical to Claim 9. The cancellation of Claims 8 and 9 obviates this rejection. Claims 1-3, 5, 6 8, 10 and 11 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,365,586 (Indeck). Claims 7 and 9 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Indeck in view of U.S. Patent No. 5,638,446 (Rubin).

Independent Claim 1 recites, *inter alia*, preparing a label, said label comprising an unreproduceable pattern and information relating to said article, describing said unreproduceable pattern and including said description with said information relating to said article and securely associating said article, said label, and said tangible representation of said encrypted information.

As understood by Applicants, Indeck relates a method and apparatus for fingerprinting magnetic media. The fingerprinting is accomplished by determining the remanent noise in a magnetic medium by DC saturation of a region thereof and measurement of the remaining DC magnetization. Indeed, Indeck is directed to generating a fingerprint at a specified region of a thin film magnetic medium or tape and fails to disclose or suggest preparing a label that